

**RULES AND REGULATIONS OF THE
INDEPENDENT BOARDS AND COMMISSIONS**

Rules of Council

Rules of the Public Recreation Commission

Regulations of the Board of Parks Commissioners

City Planning Commission Rules

Civil Service Commission Rules

Income Tax Regulations

Board of Health Regulations



**Adopted by the Council Under
The Authority of the Charter of the
City of Cincinnati**

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RULES OF COUNCIL

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1.1 Effective Date.

The following rules shall be in effect upon adoption by the council and until such time as amended, rescinded or new rules adopted in the manner provided by these rules.

1.2 Amendment and Suspension of Council Rules.

Rules may be amended, rescinded or adopted by the favorable vote of two-thirds of the members elected to council. The amendment, rescission or new rule shall go into effect immediately unless a different effective date is specified. Except where the Charter otherwise provides, any rule may be suspended at a meeting by a favorable vote of two-thirds of the members of council without debate.

1.3 Procedure in Absence of Rule.

In the absence of a rule, the chair shall declare the procedure to be followed subject to appeal. Upon appeal, the chair shall be sustained unless a majority of council objects to the procedure declared by the chair, in which case the current edition of Robert's Rules of Order shall govern.

1.4 Rule of Courtesy and Decorum.

The council of the City of Cincinnati recognizes that our citizens are our most valuable asset. Our citizens deserve and should expect to receive and be given a courteous, respectful hearing of their views.

The council chamber is the peoples' chamber. Our citizens should be made to feel welcome with an appropriate greeting at the beginning of each council and committee meeting.

Council recognizes that frequently our citizens make significant personal sacrifices to attend council and committee meetings as well as public hearings. Council shall be respectful of the time being given by citizens and shall endeavor to hear from them in a prompt and timely manner.

Council recognizes that citizens coming before council may not always agree with the views of some or all of the members of council. Nonetheless those views should be heard respectfully without reproach or admonition. In any debate of public issues differences of opinion are to be expected and the civil airing of those differences is encouraged as it helps to test ideas and develop consensus. Debate, however, should never become a personal attack which criticizes the character of the speaker rather than the wisdom of his or her ideas.

Letters to councilmembers deserve serious consideration and a timely, appropriate response. Letters to the clerk of council, even those that may be critical, should be made a part of the record of council.

Decorum and civility shall be observed at all times by members of council even though it may not be reciprocated. This includes prompt and regular attendance at all meetings of council, including those dedicated to public comment. In addition, while citizens are addressing council, the members of council shall not engage in lengthy side conversations. Such conversations shall occur outside council chambers.

Council is also entitled to expect those coming before its meetings and committees to be respectful of other citizens, staff and members of council.

Members of council shall hold themselves and each other accountable for complying with these standards remembering that the council does the peoples' business.

Visitors

The council of the City of Cincinnati has a significant interest in conducting orderly, efficient, effective and dignified meetings. Therefore, all visitors to council and committee meetings must not disrupt the conduct of council or committee meetings by physical actions, excessive noise or other disruptive or distracting behaviors. Such actions delay and interfere with the testimony of others and disrupt the legislative proceedings.

Following a request to cease and desist disruptive behavior, the chair has discretion to order the removal of persons who continue to disrupt meetings from council chambers for the duration of the meeting or such lesser period as the chair may determine.

In the interest of other speakers and fair enforcement of council rules, time limits on speakers at council and committee meetings shall be strictly and equally enforced. When a speaker's time has expired, he or she shall promptly conclude his or her sentence and cease speaking.

Signs, placards, posters and other items brought into council chambers must not exceed 2 ft. x 3 ft. in size. In addition, visitors in attendance at council or committee meetings may not carry or hold signs, placards, posters or other items in a manner that obstructs the view of others.

The use of sticks, poles or supports made of wood, metal, plastic or any rigid material is strictly prohibited in council chambers.

Any sign, placard, poster or other item brought into council chambers containing obscene or profane language, personal attacks, slander, defamation or threats of physical violence, which the chair determines is intended as a disruption of the meeting, shall be subject to removal at the discretion of the chair.

At the request of the chair, violators must remove from council chambers any sign found to be in violation of this rule. The chair has the discretion to order the removal of persons who continue to violate this rule following a warning.

PUBLIC ACCESS

2.1 Meetings Open to the Public.

2.2 Notice of Meeting.

2.3 Journal of Proceedings.

2.4 Copies of Documents.

2.5 City Bulletin.

2.6 Citizens' Forum.

2.7 Public Comment at Committee Meetings.

2.8 Regular Meetings.

2.85 Removal of Disruptive Individuals from Council Chambers.

2.9 Service Costs for Applicants.

2.1 Meetings Open to the Public.

All meetings of the council and standing committees shall be open to the public. All meetings of the city council and its standing committees shall be open to the news media and shall be subject to recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meeting.

2.2 Notice of Meeting.

Notice of the time and place of regularly scheduled meetings of council and council committees shall be posted in the office of the clerk of council, Room 308, City Hall. If council or a committee by motion adopts a different day or hour for its regularly scheduled meetings than that provided in these rules, notice shall be posted in the office of the clerk of council and shall be published in the city bulletin.

Notice of special meetings of council, which may be called at the request of two members upon 12 hours notice to each member, shall be published once in a newspaper of general circulation in the city. Notice to the council members shall be communicated to them by a written notice delivered to their place of residence or to any location designated by a council member in writing and filed with the clerk of council; provided, however, that no additional notice need be served on any member present at a meeting of council at which the presiding officer gives at least 12 hours oral notice of the time and purpose of the meeting. In the event such meeting is to be held within 24 hours of the time it is called, the members calling the meeting shall notify the clerk immediately who shall notify the news agencies that have requested notification of the time, place and purpose of the meeting. In all other instances, the news agencies that have requested notification shall be given at least 24 hours advance notice of the time, place and purpose of the meeting by the clerk of council.

To obtain notification, a news agency shall submit a written request to the council at the office of the clerk of council at Room 308, City Hall. Such request shall include the name and address of the news agency making the request and a telephone number for use by the council. The notification required by this rule shall be made by telephone call or facsimile to the number included in the news agency request. The responsibility for keeping the required information current shall be that of the news agency making the request.

Any person who wishes to obtain advance notification of all council or committee meetings at which any specific type of public business is to be discussed shall submit a written request for such notification to the council

at the office of the clerk of council at Room 308, City Hall. Such request shall include the name and address and telephone number of the person making the request and shall be accompanied by a sufficient self-addressed stamped envelope. Notification shall be made by mailing a copy of the agenda or a notice of the time, place and purpose of the meeting to the person requesting notification, except that in the event of a special meeting such notification may be made by telephone call. The responsibility for keeping the required information current shall be that of the person making the request.

2.3 Journal of Proceedings.

The journal of proceedings of the council shall be kept by the clerk of council and shall be open to public inspection at all reasonable times. At the desire of any member, the yeas and nays shall be entered upon the journal.

2.4 Copies of Documents.

The clerk of council shall make available to the public all records under the clerk's control required to be made available under the Ohio Public Records Law. The clerk may charge a reasonable fee to cover the administrative costs, including personnel costs, of providing such records. Fees for copies shall be posted in the Office of the Clerk of Council.

2.5 City Bulletin.

The city bulletin is the official newspaper of the city council and shall contain official reports of the proceedings of the council as well as items of general interest. In addition to official reports, a report or statement presented to council in writing with a request that it be spread upon the minutes of council may be published in the city bulletin if a majority of council consents. The city bulletin shall be considered a newspaper of general circulation for purposes of legal matters.

2.6 Citizens' Forum.

For a period of not more than 30 minutes immediately prior to the start of each regular meeting of council, there will be a citizens' forum where persons will be granted the privilege of the floor as follows:

(a) Each citizens' forum will begin with a greeting by the chair and a brief summary of the rules of council related to courtesy and decorum and speaking before council after which persons may be granted the privilege of the floor for up to two minutes to discuss any topic(s).

(b) All persons speaking during the citizens' forum are limited to one appearance per citizens' forum.

(c) All persons who wish to speak during the citizens' forum must complete a speaker card and file it with the clerk by the scheduled start of the citizens' forum on the day the speaker wishes to speak. Speakers may file a speaker card with the citizens' office anytime beginning on Monday of the week they wish to speak until the scheduled start of the citizens' forum. Speaker cards will not be accepted by the clerk after that time. Speaker cards must be completed with the speaker's name, address, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the clerk shall indicate the time of receipt and the order in which the speaker cards are received.

(d) The chair will recognize and introduce speakers in the order in which their speaker cards were received by the clerk. Those speakers who promptly submitted speaker cards but are unable to speak within the half-hour period will have first priority to speak at the next citizens' forum. The chair will inform those speakers who will have priority to speak at the next citizens' forum prior to the start of the citizens' forum.

(e) Only the speaker is permitted at the lectern during the citizens' forum, unless the chair or any member of council has invited two or more persons to the lectern for informational or ceremonial purposes.

(f) The use of obscene or profane language, personal attacks, slander, defamation, physical violence or the threat thereof, which the chair determines is intended as a disruption, shall constitute a disturbance of the citizens' forum.

(g) The chair may order the removal of any person causing a disturbance of a citizens' forum or failing to comply with any lawful decision or order by the chair for the duration of the citizens' forum or such lesser period as the chair may determine. Upon the issuance of a warning by the chair, any subsequent violation of this rule or any other form of disruptive behavior will result in the individual's immediate suspension of being recognized by any chair at any council or committee meeting for a period of 60 days. The clerk of council shall be responsible for notifying suspended individuals of the duration of their suspension.

(h) The citizens' forum shall not be considered part of the business portion of a council meeting.

(i) If the mayor is not present to call the citizens' forum to order five minutes after the scheduled starting time, the vice-mayor shall call the meeting to order. If neither the mayor nor the vice-mayor is present, the president pro-tem shall call the meeting to order. If the mayor, vice-mayor or the president pro-tem are not present, a council member may call the meeting to order.

(j) It is the duty of the chair to enforce these rules.

2.7 Public Comments at Committee Meetings.

Members of the public are encouraged to discuss and debate relevant issues during meetings of the various committees of council. Each committee meeting will begin with a greeting by the chair and a brief summary of the rules of council related to courtesy and decorum and speaking before council. During committee meetings, persons may be granted the privilege of the floor as follows:

(a) Persons who wish to speak on any item on a committee agenda may be granted the privilege of the floor for three minutes, unless in the discretion of the chair, circumstances dictate a longer or shorter period for all speakers on a particular item. The length of speaking periods for public comment must be uniform for a particular item. Further, it is the discretion of the committee chair whether persons speaking on agenda items speak before or after committee members have had the opportunity to discuss the item. After the business portion of committee meetings has concluded, persons who wish to speak on any issue may be granted the privilege of the floor for three minutes.

(b) At the discretion of the committee chair, public comments may be limited to three persons in support and three persons in opposition of any issue. All speakers are limited to one appearance per committee meeting.

(c) All persons who wish to speak before a committee of council must complete a speaker card and file it with the clerk. Speaker cards must be completed with the speaker's name, address, organization (if applicable) and subject, and submitted along with any material or information to be distributed. On the face of each completed speaker card, the clerk shall indicate the time of receipt and the order in which speaker cards are received.

(d) Each committee's chair will recognize and introduce speakers in the order in which their speaker cards were received by the clerk.

(e) Only the speaker is permitted at the lectern when addressing council or one of its committees, unless the chair or any member of council has invited two or more persons to the lectern for information or ceremonial purposes.

(f) The chair shall provide a warning to a speaker whose comments are not directly relevant to a committee agenda item. Following a warning, the chair may require a speaker who continues to make irrelevant comments to relinquish the remainder of his or her three minutes. Failure to comply will constitute a disturbance.

(g) The use of obscene or profane language, personal attacks, slander, defamation, physical violence or the threat thereof, which the committee chair determines is intended as a disruption of the meeting, shall constitute a disturbance.

(h) Any person causing a disturbance of a committee meeting or failing to comply with any lawful decision or order by the committee chair may be removed from council chambers for the duration of the meeting or such lesser period as the chair may determine. Upon the issuance of a warning by the chair, any subsequent violation of this rule or any other form of disruptive behavior will result in the individual's immediate suspension of being

recognized by any chair at any council or committee meeting for a period of 60 days. The clerk of council shall be responsible for notifying suspended individuals of the duration of their suspension.

(i) One or more persons may be granted the privilege of the floor at the chair's discretion for ceremonial purposes or to provide information that is directly related to an item under consideration by the committee.

2.8 Regular Meetings.

The purpose of regular city council meetings is to allow members of council and city officials to conduct the city's business. Council has a significant interest in conducting orderly, efficient and dignified meetings. Persons other than members of council, city officials and representatives from news media shall not be permitted upon the floor of council during regular meetings. Persons other than members of council and city officials may not address council during regular meeting, except when called, at the chair's discretion, to provide factual information strictly related to the item under consideration by the council. When called to provide such information, the person(s) called shall limit his or her remarks to the provision of the information requested and shall not attempt to offer remarks that are irrelevant to the item under consideration by council. The chair shall call person(s) to provide factual information that will assist council in the course of its business, and not solely for the purpose of asserting an opinion or position regarding any matter. The chair shall strictly enforce the provisions of this rule.

The chair may grant the privilege of the floor to one or more persons for ceremonial purposes.

2.85 Removal of Disruptive Individuals from Council Chambers.

If an individual is removed for disrupting a Council or committee meeting two times in a 60-day period, that individual as a matter of course will be prosecuted for violating O.R.C. Section 2917.12, Distributing a Lawful Meeting, a fourth degree misdemeanor. The Clerk of Council shall document the name, date, time and circumstances of any individual's removal from council chambers during a Council or committee meeting.

2.9 Service Costs for Applicants.

Whenever application is made for the grant of a franchise right, change of street name, amendment of building zone map, street vacation, or for any other grant, right franchise or privilege, resulting in special benefits to the applicant, the clerk shall require the agent of such applicant to deposit with the city treasurer an amount estimated to be sufficient to pay the costs of any advertising, recording, reproduction or other special services arising by reason of such application. Any unused balance of such deposit shall be refunded to the agent of the petitioners on voucher of the clerk of council.

COUNCIL CHAMBER

3.1 Council Chamber.

3.2 Seating of Members.

3.3 Officers of the Council.

3.4 Clerk of Council and Staff.

3.5 Appointment by the Mayor.

3.6 Allocations of Office Space.

3.7 Ban on Weapons and Items Resembling Weapons.

3.1 Council Chamber.

The council chamber and community room shall be under the supervision and control of the clerk of council when the council is not in session. Except as herein provided they shall be used solely by the council and its committees for the transaction of public business of the city. If not required for such use, the clerk may permit their use for the transaction of other public business. Application for such use must be made to the clerk of council. Any

permission granted may be canceled or revoked by the clerk forthwith where necessary for the protection of city property, the preservation of order, the transaction of public business of the city, or other sufficient reason.

3.2 Seating of Members.

Except as otherwise directed by a majority of council, members shall occupy the seats in the council chamber assigned to them by the mayor, but any two or more members may exchange seats by giving joint written notice to the mayor.

3.3 Officers of the Council.

A vote of a majority of the members elected to council shall be required to select a vice-mayor and president pro-tem.

3.4 Clerk of Council and Staff.

The clerk of council shall be appointed as an unclassified legislative employee of the city by vote of a majority of the members elected to council and shall serve at the pleasure of council.

The appointment shall be for a two-year term coinciding with the term of council. Appointment and removal of the clerk of council during the two-year term shall be made only upon an affirmative vote of two-thirds of the members elected to council.

Prior to original appointment the qualifications of the proposed appointee shall be presented to council.

The clerk's staff shall be appointed as unclassified legislative employees of the city by the clerk of council. The clerk shall have supervision and control of the staff.

3.5 Appointment by the Mayor.

Within the first 30 days of a council term the clerk shall provide council with a list of those positions appointed by the mayor with the advice and consent of council which will expire during the two-year council term then beginning.

When the mayor submits a proposed appointment to council, the name of the proposed appointee shall be published in the city bulletin and consideration of the appointment shall be deferred until the next meeting.

3.6 Allocation of Office Space.

When any office occupied by a member of council (excluding the mayor) becomes vacant for any reason including death, resignation or defeat in an election, the vacant office space shall be offered to the other members of council in order of seniority based upon total time served on council. The clerk of council shall administer the assignment of vacant office space in accord with this rule.

3.7 Ban on Weapons and Items Resembling Weapons.

Weapons and any items that the chair determines resemble weapons (i.e., a plastic gun), are strictly banned from council chambers unless wielded by a member of the Cincinnati Police Department. Any person carrying such items will be immediately removed from chambers.

MEETINGS

- 4.1 Regular Meetings.**
- 4.2 Special Meetings.**
- 4.3 Town Hall Meetings**
- 4.4 Adjourned Meetings.**

4.1 Regular Meetings.

Regular meetings of the council shall be held in the council chamber commencing at 2:00 p.m. on Wednesday of each week except during the months of July and August when the council shall be on summer schedule and shall meet once each month on the first Wednesday of the month. Whenever a regular meeting falls in a week in which a legal holiday occurs on Monday, Tuesday or Wednesday, the meeting shall be held on Thursday at 2:00 p.m. Date and time of regular meetings may be changed by motion.

The citizens' forum for public comment shall begin promptly 30 minutes prior to the scheduled start of every regular meeting of council, and will last for up to 30 minutes prior to the beginning of the council meeting. A quorum must be present for the citizens' forum to begin.

4.2 Special Meetings.

Special meetings of the council may be called by the clerk of council at the request of two members upon 12 hours notice to each member. The call for the meeting shall state the time, date, location and subjects to be considered at the meeting and shall be published in a newspaper of general circulation. No other subject shall be discussed except upon the approval of a majority of council.

A special meeting may be canceled as follows upon request of the members of council calling the special meeting. The clerk shall notify all members of the council of the proposed cancellation and upon the acquiescence of five members, the meeting shall be canceled. In the event the acquiescence of five members is not received, the meeting shall be held as scheduled. The media shall be notified of any cancellation.

4.3 Town Hall Meetings.

Council will hold up to 5 town hall meetings per year as a means to broaden opportunities for public comment and public participation in the legislative process. Each meeting shall be held in a different city neighborhood in order to receive public input and generate dialogue regarding subjects of interest to citizens of the neighborhood and region in which the meeting is held. The Neighborhood and Public Services committee, in consultation with the mayor and vice-mayor, will determine the number, location, and duration of meetings with the consent of council, and the Neighborhood and Public Services committee will work with community leaders to develop an appropriate agenda for each meeting. A quorum of members of council is not necessary to conduct town hall meetings. The presiding officer shall recognize and introduce any person desiring to speak at a town hall meeting for up to three minutes in the order in which the presiding officer receives a completed town hall speaker card. The rules of council related to courtesy and decorum, signs, and disruptive or disturbing behavior shall apply equally to town hall meetings.

4.4 Adjourned Meetings.

Any meeting of the council may be adjourned until a later time, date or location provided that no adjournment shall be for a longer period than until the next regular meeting.

CHAIR

- 5.1 The Chair.**
- 5.2 Temporary Chair.**
- 5.3 Preservation of Order.**

5.4 Appeals from Decisions of the Chair.

5.5 Questions Stated.

5.6 Presiding Officer Leaving Chair.

5.7 The Clerk.

5.8 Addressing the Chair.

5.1 The Chair.

The mayor or, in the mayor's absence, the vice-mayor or, in the absence of both, the president pro-tem, shall take the chair.

5.2 Temporary Chair.

In case of the absence of the mayor, the vice-mayor and the president pro-tem, the clerk shall call the council to order and call the roll of the members. If a quorum is present, council shall select, by a majority vote, a chair of the meeting to act until the mayor, vice-mayor or president pro-tem appears.

5.3 Preservation of Order.

The chair shall preserve order and decorum, prevent attacks on personalities or impugning of member's motives and confine members in debate to the question under discussion. The chair shall exercise final authority to take any measures reasonably necessary to preserve order during meetings and to ensure that the meeting is conducted in an orderly and efficient manner. In discharging these duties, the chair may issue directives to any member of the Cincinnati Police Department who shall be deemed a sergeant-at-arms for the mayor and council.

Any person entering the council chambers or any of the council committee rooms while a meeting is in progress, shall render inaudible any device, such as a cell phone, beeper or paging device within such persons' control that may beep, buzz or make any noise that may be audible to other persons in the area.

5.4 Appeals from Decisions of the Chair.

The chair shall decide all questions of order subject to appeal. Upon appeal, the chair shall be sustained unless overruled by a majority vote of council.

5.5 Questions Stated.

All questions shall be stated by the chair.

5.6 Presiding Officer Leaving Chair.

The presiding officer at a meeting may call any other member to take the presiding officer's place in the chair but the substitution shall not extend beyond adjournment.

5.7 The Clerk.

The clerk and other officers and employees of the clerk of council's office shall be under the control and direction of the chair during council and committee meetings.

5.8 Addressing the Chair.

Every member speaking to a question or making a motion shall address the chair as "Mr. President" or "Madam President." The chair shall thereupon state the name of the member entitled to the floor. Members addressing council shall confine themselves to the question under debate.

MEMBERS

- 6.1 Duty to Vote.**
- 6.2 Right to Floor**
- 6.3 Limitation of Debate.**
- 6.4 Separation of a Question.**
- 6.5 Roll Call Vote.**
- 6.6 Tie Vote.**
- 6.7 Change of Vote.**
- 6.8 Personal Privilege.**
- 6.9 Dissents and Protests.**
- 6.10 Attendance at Meetings.**
- 6.11 Excusal During Meeting.**

6.1 Duty to Vote.

Every member present shall vote on all questions unless excused by a majority vote of council; except that no member shall vote on any question in which he or she is financially interested or which in any way directly involves the councilmember's personal or private rights. A member wishing to be excused or excepted shall state the reason for excusal or exception. Any member present, unless so excused or excepted, who indicates he or she is not voting on any question relating to city government upon which he or she may vote shall be deemed to have voted for the side for which a majority of council voted.

6.2 Right to Floor.

When any member addresses the council, he or she shall respectfully address the presiding officer and, when recognized by the chair, shall confine discussion to the question under debate, avoid personalities and refrain from impugning the motives of any other member's argument or vote.

When two or more members ask recognition at the same time, the presiding officer shall name the member who is first to speak. The exercise of such discretion by the presiding officer is not subject to appeal.

6.3 Limitation of Debate.

No member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon shall have spoken. At regular meetings of council, members should generally limit their comments to six minutes at any one time. Councilmembers will be politely reminded that they have exceeded six minutes by the same timer and signal used for citizens.

6.4 Separation of a Question.

Where a question under consideration covers two or more points which are separable, the question shall be separated upon the demand of any member.

6.5 Roll Call Vote.

When a roll call vote is required, the clerk shall call the roll and each member as his or her name is called shall answer in the affirmative or negative unless excused or excepted from voting. At the chair's discretion the vote may be announced.

It shall not be in order for members to explain their votes during the call of the roll.

6.6 Tie Vote.

On a tie vote, the matter is lost.

6.7 Change of Vote.

A member has the right to change his or her vote up to the time the next item of business is commenced. After such time, no member of council shall be permitted to change his or her vote as recorded without permission of the council. Permission may be given by general consent if no member objects when the chair inquires. If a member objects, the motion may be made to grant permission, which motion is undebatable and shall carry by a majority vote.

6.8 Personal Privilege.

Any member may address the council on a question of personal privilege. It shall be limited to cases in which the member's integrity, character or motives are assailed, questioned or impugned.

The member shall not use such privilege to discuss a question or issue and it shall not consume more than five minutes of time unless extended by consent of the council.

6.9 Dissents and Protests.

Any member shall have the right to express dissent from or protest against any ordinance or resolution of council and have the reason therefore entered upon the journal. To be entered upon the journal, such dissent or protest must be filed in writing and presented to council not later than the end of the next regular meeting following the date of passage of the ordinance or resolution.

6.10 Attendance at Meetings.

Each member of the council shall be present within the chambers of the council during the entirety of each meeting of council, including the citizens' forum, unless excused by the presiding officer or necessarily prevented from attending.

6.11 Excusal During Meeting.

Any member desiring to be excused while council is in session shall obtain such permission from the presiding officer.

CONDUCT OF BUSINESS

7.1 Order of Business.

7.2 Call to Order.

7.3 Roll Call.

7.4 Quorum.

7.5 Filing of the Journal.

7.6 New Business; Emergency By Leaves.

7.7 Special Orders.

7.8 Communications.

7.9 Council Calendar.

7.10 Council Referrals.

7.11 Referrals of State and Federal Joint Proposals.

7.12 Referrals to City Manager.

7.13 Assignment of Agenda Items.

7.14 Deliberative Policymaking.

7.1 Order of Business.

Council shall transact business in the following order at all regular meetings. The order may be altered at special meetings and at any other meeting by consent of a majority of council.

Council Procedure Effective 2-04-02

Roll Call
 Prayer and Pledge of Allegiance
 Filing of Journal
 Announcement
 Special Orders (guests, proclamations, resolutions, etc.)
 Regular Agenda (action items)
 Supplemental Agenda
 New Business
 Adjournment

After the presentations by members of council, the business of all regular meetings shall commence at the point where the order of business at the preceding meeting was interrupted by adjournment. At special meetings called for purposes specifically named, the purpose named in the call shall have precedence.

7.2 Call to Order.

At the time appointed for the council to meet the presiding officer shall take the chair and immediately call the meeting to order.

7.3 Roll Call.

Before proceeding with the business of the council, the clerk shall call the roll, determine the presence of a quorum and enter in the minutes the members present, absent and excused. To be recorded as present, a member of council shall be in the council chamber at the time of roll call. The clerk shall publish in the city bulletin the names of members present and absent at each meeting.

7.4 Quorum.

A majority of the members elected to the council shall constitute a quorum and shall be necessary for the transaction of business. If a quorum is not present those in attendance may adjourn by a majority vote until a later time or date or may recess and direct the clerk to procure the attendance of absent members. When a quorum is present, a majority vote of those members shall be sufficient to transact all business except the enactment of ordinances and as a larger number is required by law or the rules of council.

7.5 Filing of the Journal.

At each meeting the journal of the preceding meeting shall be filed as prepared by the clerk if there is no objection.

7.6 New Business; Emergency By Leaves.

The mayor and, following the mayor, each other member in alphabetical order, in rotation, with the first member being the last at the next meeting, may speak for up to five minutes to preview signed communications or petitions, motions, orders, ordinances, resolutions or any other matters not on the calendar that shall be placed on the calendar of the next regular meeting or on the calendar of a committee of council. As part of new business, members may introduce and call for a vote on motions relieving a committee from further consideration of an item, pursuant to Rule 10.9. Councilmembers will be politely reminded that they have exceeded five minutes by the same timer and signal used for citizens.

Items not appearing on the calendar may be presented by the mayor, a member of council or the city manager by leave of council in cases of genuine emergency.

7.7 Special Orders.

A special order is a question which is set for a certain time and may interrupt any pending question except one relating to adjournment or recess, a question of privilege or an earlier set special order. To make any subject a special order shall require the consent of a majority of council.

Special orders may be taken up to any time after the roll call and presentation by members of council. Special orders for a particular day shall hold good for succeeding days until disposed of.

7.8 Communications Calendar.

The communications calendar is a subset of the regular council calendar and is organized and functions as follows:

Calendar items which require only a specific, direct response from the administration shall be labeled as "communication items." Typical items include: questions regarding a specific billing from a city department, timing of an upcoming construction project, questions about a bid procedure, requests from vendors to be included on a mailing list, or a request for services. These items would appear in a special section of the council calendar.

The councilmember introducing an item would initially identify whether the item should appear on the communications calendar.

Any councilmember could review the communications calendar, and, if he/she believes that an item contains a policy issue or requires committee consideration, remove the item from the communications calendar and place it on the regular calendar.

Items on the communications calendar which are not removed to the regular calendar shall not be referred to committees but shall be referred directly from council to the administration for response.

Notice of the administration's response will be sent directly to council, where it will appear on the communications calendar as a response.

Any councilmember may remove an item from the communications calendar and have it referred to committee.

Communications (responses) which are not removed from the communications calendar would be disposed of at Council.

The clerk shall send the member of council who referred items to the communications calendar a copy of the response prior to its placement on the communications calendar.

7.9 Council Calendar.

The clerk shall prepare a printed calendar for each meeting. The clerk shall make copies of the calendar for a regular meeting available in the clerk's office by 5:00 p.m. of the day preceding the meeting. The deadline for items appearing on the printed calendar shall be 11 a.m. of the day preceding the meeting. Items referred from committee meetings held after such deadline shall be included on a printed supplement to the calendar made available prior to the meeting.

Items shall appear on the calendar in substantially the following order:

- (a) Reports and communications from the mayor, members of council, city manager, city boards and commissions, and department directors.
- (b) Second reading of ordinances held from previous meeting:
- (c) Third reading of ordinances held from previous meeting.
- (d) Other matters received by the clerk.

(e) Reports of standing committees in the following order:

1. Arts, Cultural and Tourism Committee
2. Finance Committee
3. Community Development & Intergovernmental Affairs Committee
4. Health, Tourism, Small Business and Employment Committee
5. Neighborhood and Public Services Committee
6. Law and Public Safety Committee

(f) Reports of other committees in the following order:

1. Rules Committee
2. Committee on Standing Committees

Anonymous communications shall not be placed on the agenda or introduced into council.

7.10 Council Referrals.

Items on the calendars or presented by leave, which have not been previously referred to committee, shall be referred to the appropriate committee by or at the direction of the mayor and, as required by the charter or law, to the planning commission. Planning commission items shall be initially referred to the commission and to committee. When returned to council by the planning commission, the items shall be placed on the committee agenda with the initial referral. An item may also be considered immediately without referral, unless a member objects. If such objection is made, the item may be considered immediately only upon an affirmative vote of a majority of council.

7.11 Referrals of State and Federal Joint Proposals.

All proposals for projects which contemplate cooperation with, or financial participation by, the state or federal government, shall be transmitted to council by the city manager. If a city board or commission desires to propose such a project, the proposal shall be filed with the city manager.

All proposals shall be in approved form and accompanied by proper plans and specifications conforming to the requirements of the respective state or federal government.

Council shall refer all proposals to the finance committee and to the chairman of any other appropriate committee. The committees shall report their recommendations to council. If council approves the proposal, it shall authorize the city manager to make application to the proper authority.

7.12 Referrals to City Manager.

In order to expedite council and committee meetings, members of council shall send items regarding routine city services, constituent complaints or claims of a non-policy nature, requests for information, and other routine matters directly to the city manager for resolution rather than placing them on the council calendar.

7.13 Assignment of Agenda Items.

The mayor shall assign all legislative matters to the appropriate committee for consideration; however, no matter shall be assigned to more than one committee for consideration in addition to the Finance Committee.

7.14 Deliberative Policymaking.

Council motions calling for administration action, the expenditure of funds or a change in policy direction must be before the public for at least one full week, allowing an opportunity for public comment at no less than one committee meeting following the meeting where the item is publicly introduced. This means an item must be presented 1) as a new business/by leave item at a regular council meeting and then presented before a committee meeting before advancing to council; or 2) presented at a committee meeting and then held in that committee for one meeting before advancing to the regular council meeting.

MOTIONS

8.1 Motions; General.

8.2 Motions; New Subject.

8.3 Procedural Motion Prior to Debate; To Defer Consideration.

8.4 Procedural Motion During Debate.

8.5 Motion to Reconsider.

8.6 Motion to Take Recess.

8.7 Motion to Adjourn.

8.1 Motions; General.

All motions shall require a majority vote of council for adoption except as otherwise provided in these rules. When a motion is made it shall be stated by the chair before debate. A member may withdraw or amend a motion at any time before passage. All motions are debatable unless specifically stated otherwise.

Motions seeking basic information from the administration do not require a vote of council and can be referred to the administration without a vote. Any motion calling for a change in policy direction or the expenditure of city funds requires a majority vote of council.

8.2 Motions; New Subject.

All motions which bring a new subject before council shall be in writing and shall be referred to committee for report prior to adoption. Such motions may be presented either in the form of a motion or a resolution.

8.3 Procedural Motion Prior to Debate; To Defer Consideration.

A member may move for deferral of consideration of action or referral to committee on any subject prior to debate on the subject.

8.4 Procedural Motion During Debate.

When a motion is before council, only the following procedural motions shall be entertained with precedence in the order listed.

- (a) Motion for the Previous Question.

Three or more members may move the previous question. Approval by a majority of council of a motion for the previous question shall close debate and council shall immediately proceed to a vote on the pending question. The memo is not debatable.

- (b) Motion to Postpone to a Time Certain; Motion to Make Special Order.

Approval of a motion to postpone to a time certain defers consideration of a question to another day or to a certain hour when, after pending business is disposed of, it will have the right of consideration over all questions except a special order or reconsideration. It may be amended as to time by a vote of a majority of the council.

Approval of a motion to make an item a special order defers consideration to a certain hour and will allow the

matter to interrupt pending business. It may be amended as to time by a majority of the council.

(c) Motion to Refer.

Approval of a motion to refer may commit or recommit any pending question to a specific standing committee or may refer the matter to a special committee, the city manager, a board or commission or a department director for investigation, report or action. The response to such referral shall be made to council or as council otherwise directs.

(d) Motion to Amend; Motion to Fill Blank.

A motion to amend may only be amended once. An amendment once rejected may not be moved again substantially in the same form. A motion to fill a blank shall be made prior to voting on a resolution or ordinance.

(e) Motion to Postpone Indefinitely.

Approval of a motion to postpone indefinitely rejects the question without a direct vote. If it is carried, the principal question shall be declared lost. An affirmative vote may be reconsidered, a negative vote may not. If the motion to postpone indefinitely carries and is not reconsidered, the question cannot be brought up again during that council meeting.

8.5 Motion to Reconsider.

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the meeting of council at which the vote was taken. A motion to reconsider any other action taken by council may be made at any time at any meeting held within 10 days after the vote of council thereon. A motion to reconsider may be made only by a member who voted with the prevailing side. A majority of council shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not again be entertained.

8.6 Motion to Take Recess.

Council may move to take a recess to a specified time. The motion is debatable and amendable. At the appointed time the meeting shall be called to order and business will proceed the same as if no recess had been taken.

8.7 Motion to Adjourn.

A motion to adjourn shall be in order at any time, except as follows:

- (a) When repeated without intervening business or discussion.
- (b) When made as an interruption of a member while speaking.
- (c) When the previous question has been ordered.
- (d) While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

ORDINANCES AND RESOLUTIONS

9.1 Ordinances Drafted.

9.2 Reading of Ordinances.

9.3 Suspension of Three Readings.

9.4 Amendments.

9.5 Improper Amendments.

9.6 Adoption of Ordinances.

- 9.7 Emergency Ordinances.**
- 9.8 Publication of Ordinances.**
- 9.9 Legislative Resolutions.**
- 9.10 Resolutions.**
- 9.11 Adoption of Resolutions.**

9.1 Ordinances Drafted.

Ordinances shall be drawn by the city solicitor at the request of any member of council, a council committee, the city manager, a board or commission or department director.

All legislative matters shall be drafted as ordinances except when required by state law to be in the form of a resolution in which case all formalities of an ordinance shall be followed in the passage of the resolution. No ordinance shall contain more than one subject which shall be clearly expressed in its title, and no ordinance shall be revived or amended unless the new ordinance contains the entire ordinance revived, or the section or sections amended and the section or sections so amended shall be repealed.

9.2 Reading of Ordinances.

Ordinances must be fully and distinctly read by title on three different days unless three-fourths of the members elected to the council dispense with the rule. If the rule has not been suspended, the first reading of the ordinance shall be for information. After the second reading, the question shall be engrossed and not subject to further amendment, except that the order of engrossment may be reconsidered by a majority vote of council. The third reading shall be for adoption of the ordinance by a roll call vote.

9.3 Suspension of Three Readings.

Upon motion affirmatively passed by seven members of council, the rule that an ordinance must be fully and distinctly read on three different days may be suspended at any time after the first reading of the ordinance.

The title of the ordinance shall be read once for information, the motion for suspension of the rule shall be made and, if the motion is acted upon favorably, the ordinance shall be subject immediately to amendment and passage. If the motion does not carry, the ordinance shall be held for the next meeting for the second reading. A motion to suspend the rule may be made after the second reading and, if acted upon favorably the ordinance shall be subject immediately to passage.

9.4 Amendments.

Amendments to ordinances made on the floor of council after the first reading shall be indicated by the clerk on the original ordinance.

When a resolution or ordinance is referred to a committee, it may be reported back with a recommended substitute for the legislation. The chair shall state the question on the substitute recommended by the committee. The clerk shall note on the document that it is substitute legislation. The original legislation may be placed on the calendar for indefinite postponement.

9.5 Improper Amendments.

An amendment is not in order which is not germane to the question to be amended or is identical to a question previously decided during that council meeting. No independent new question may be introduced under cover of an amendment. An amendment may, however, conflict with the spirit of the original legislation and still be in order.

9.6 Adoption of Ordinances.

All ordinances shall require for passage the concurrence of no fewer than a majority of the members elected to council.

A vote of six members of council is necessary (a) to appropriate property when notice to the owner is only by publication because the owner cannot be found (719.05 O.R.C.), (b) to pass an emergency measure (Art. II, Sec. 3, Charter), (c) to submit to the electorate a proposal to amend the Charter (Art. XVIII, Sec. 9, Constitution) or (d) to overrule the failure of the planning commission to approve an amendment of the zoning ordinance or of the zone map or location of a public improvement or other matter on which the charter requires planning commission advice. An ordinance creating, combining, abolishing or decreasing the powers of any department, division or board, shall require a vote of three-fourths of the members elected to the council (Art. II, Sec. 7, Charter).

9.7 Emergency Ordinances.

In order to take immediate effect, an emergency ordinance must receive an affirmative vote of five members of council on the ordinance and six affirmative votes on the emergency clause. Each vote shall be taken separately by yeas and nays.

In the event the ordinance receives an affirmative vote of five members, but does not receive six affirmative votes on the emergency clause, the emergency clause shall be stricken and the ordinance shall go into effect as otherwise provided by law.

The journal of the clerk shall show the yeas and nays of the roll call vote separately on the ordinance and the emergency clause.

9.8 Publication of Ordinances.

Every ordinance shall be published once within fifteen days after its passage in the city bulletin or another newspaper of general circulation in the city of Cincinnati. In the publication of every ordinance or resolution relating to improvements, the advertisement shall contain simply a statement of the title, number and the date of the ordinance and resolution, a concise description of the private property affected, a summary of the nature of the improvements, the rate of any assessment levied or to be levied, and a reference to a copy of the ordinance or resolution, which shall be on file in the office of the clerk of council.

In the publication of all other ordinances or resolutions the advertisement shall contain a statement of the title, number and date of the ordinance or resolution, the complete text or a brief statement of the nature of the ordinance or resolution and a reference to a copy of the ordinance or resolution, which shall be on file in the office of the clerk of council.

9.9 Legislative Resolutions.

Legislative matters that are required by the constitution or state law to be in resolution form shall be adopted and published in the same manner as ordinances.

9.10 Resolutions.

Resolutions shall be drawn by the city solicitor at the request of any member of council, a council committee, the city manager, a board or commission, or department director.

9.11 Adoption of Resolution.

All resolutions except legislative resolutions shall be adopted by an affirmative vote of a majority of council.

COMMITTEES

10.1 Appointment of Committees.

- 10.2 Standing Committees.**
- 10.3 Special Committee.**
- 10.4 Committee Meetings.**
- 10.5 Secretary to Committees.**
- 10.6 Committee Quorum / Prompt Start of Committee Meetings.**
- 10.7 Reference to Committees.**
- 10.8 Committee Reports.**
- 10.85 Timely Reports.**
- 10.9 Relieving Committee from Further Consideration.**
- 10.10 Committee of the Whole.**
- 10.11 Public Hearings and Special Meetings.**
- 10.12 Rules of Committee.**
- 10.13 Neighborhood Days.**

10.1 Appointment of Committees.

The standing committees and vice-chairs shall be appointed by a vote of a majority of the members elected to council. The chairs of the standing committees shall be appointed by the mayor. There shall be at least three members on each committee.

10.2 Standing Committees.

- (a) The standing committees of council, commencing December 1, shall be:

- (1) Community Development, Education & Intergovernmental Committee
- (2) Finance Committee
- (3) Health, Tourism, Small Business Development & Employment Committee
- (4) Law and Public Safety Committee
- (5) Neighborhood and Public Services Committee
- (6) Arts, Cultural and Tourism Committee

- (b) The standing committees shall be appointed for the two-year term of council. All matters pending in the committees at the end of the council term shall be turned over to the successor committee.

10.3 Special Committee.

A special committee of council may be appointed by the mayor, or a subcommittee of a council committee may be appointed by a committee chair, for any special purpose and shall cease to exist upon final report to council or the committee on the duty assigned.

It may be discharged by a vote of a majority of council or the committee appointing it.

10.4 Committee Meetings.

Each committee shall meet regularly at the time and day specified by the chair of the committee. Meetings may be canceled by the chair without objection from a majority of the committee. A tentative half-year schedule of planned committee meetings will be presented by committee chairs in January (for February through September) and September (for October through January) - allowing citizens, administration officials and councilmembers to plan and prepare for the meetings in advance. Standing council committees will generally meet every two weeks, or less frequently at the discretion of the committee chair. The committee meeting schedule should be staggered so that

there are committee meetings each week.

Every committee may set its own agenda. It shall consider all matters referred and such matters shall be referred to the appropriate committee by or at the direction of the mayor.

A committee may consider any matter concerning the city which falls within the area of responsibility assigned to that committee. A committee may initiate legislation within its area of responsibility for submission to council and such legislation, when accompanied by a committee report, may be acted upon immediately and need not be referred to another committee unless so directed by council. Each committee shall hold items referred from the council calendar for one week before discussion.

10.5 Secretary to Committees.

The clerk or a deputy clerk shall act as secretary to each committee, and keep a record of attendance and business transacted at committee meetings.

10.6 Committee Quorum / Prompt Start of Committee Meetings.

The presence of at least fifty percent of the members of a committee or a subcommittee shall constitute a quorum.

If a quorum is not present at a special or regularly scheduled meeting, the chair or presiding committee member may permit persons present to speak on agenda issues; however, no referrals or reports to council may be made or action taken on any matter in the absence of a quorum, but shall be held in committees until the next meeting. The chair of the committee shall report to council that there was no quorum at its regularly scheduled meeting or that a scheduled meeting was not held. Should action be required on any matter referred to the committee before the committee's next scheduled meeting, council may relieve the committee from further consideration of the matter.

If a committee chair is not present five minutes after the scheduled starting time of a committee meeting, the committee vice-chair shall call the meeting to order. If neither the chair nor the vice-chair is present, a committee member shall call the meeting to order.

10.7 Reference to Committees.

Each committee shall investigate and report on all items on the calendars and by leaves referred to it and may refer such items to the city manager, city board or commission or department director for report to the committee. The administration may bring any item to a committee which is not on the committee meeting agenda with the consent of the chair.

10.8 Committee Reports.

In the event a committee to which a matter has been referred with instructions to report at a specific time is not ready to report at such time, the matter shall be considered as though reported back without recommendation. In such case, the committee shall return to the clerk the documents pertaining to the matter, and the matter shall take its proper place in the order of business.

Other than reports of the committee of the whole, the clerk shall transmit to council in writing the reports of committees containing the recommended disposition of matters referred to them. Written indication on the calendars as to a committee recommendation shall satisfy the requirement that reports of committees be transmitted in writing to council.

10.85 Timely Reports.

Administration reports required for review or approval at a council committee or regular council meeting shall be distributed at least one day prior to the meeting to allow meaningful council review and deliberation.

10.9 Relieving Committee from Further Consideration.

Upon motion council may by a majority vote relieve a committee of further consideration of a matter referred to it

and order the matter placed on the calendar for immediate consideration.

10.10 Committee of the Whole.

When council resolves itself into the committee of the whole, a member of council appointed by the mayor shall preside. The rules of council shall govern the committee of the whole except for the following:

- (a) The previous question may not be moved.
- (b) The yeas and nays shall not be recorded.

10.11 Public Hearings and Special Meetings.

Any committee may hold a public hearing or special meeting on any matter pending before the committee, or on any matter of importance to the city within the area of responsibility of the committee. In the event of an emergency, the chair is authorized to schedule a public hearing or special meeting.

In the event such a public hearing or special meeting is called, notice of such a meeting shall be published at least one time in advance in the city bulletin or other publication of general circulation.

In the event of an emergency which necessitates scheduling a public hearing or special meeting within a period of time that does not allow publication as aforesaid, then the rules applicable to scheduling special sessions of council shall apply.

In all cases, due care should be taken to avoid scheduling conflicts of members of the committee or other previously scheduled hearings or meetings of council and/or its standing committees.

10.12 Rules Committee.

The Rules Committee will meet every six months to review the operation and effectiveness of the Rules of Council.

10.13 Neighborhood Days.

The Neighborhood Committee and city staff will arrange, approximately bi-monthly, a walking tour of a neighborhood for administration and councilmembers. The committee will work with that neighborhood's community council to make the arrangements. A tentative annual schedule of Neighborhood Days will be presented by the Neighborhood Committee in January (for February through September) and September (for October through January) - allowing citizens, administration officials and councilmembers to plan and prepare for the Neighborhood Days in advance. Neighborhood Days should be planned in conjunction with the new committee schedules, ideally planned on Mondays or Tuesdays when committees are not meeting.

Legal Opinions for Councilmembers

11.1 Legal Opinions for Councilmembers.

11.1 Legal Opinions for Councilmembers.

Councilmembers may, individually or jointly, request legal opinions and legal work from the city solicitor. When appropriate, they may specify that such opinions be delivered confidentially under the attorney-client privilege, and be delivered only to the councilmember(s) who requested the legal opinions.

If the "Rule 11" legal work the councilmember(s) requests involves an item to which the administration has already established a position or generated a legal analysis, the councilmember(s) may request an independent opinion conducted by a city lawyer not involved in the prior decision making or analysis.

When the councilmember(s) has requested a confidential/privileged and independent opinion or analysis, only

the councilmember(s) can disclose the legal opinion to others within or outside the administration. Consistent with Ohio rules of legal ethics, the attorney must conduct his or her analysis independently and provide a neutral and confidential opinion or analysis to the requesting councilmember(s).

Councilmembers who jointly request a confidential legal opinion or analysis must respect their joint attorney-client privilege for legal opinions given to them in confidence by the Solicitor's Office or other attorneys of the city.